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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8
9 FREDERICK H. SHULL, JR.,
10 Plaintiff(s),

Case No.: 2:18-cv-01690-RFB-NJK

11 v.

ORDER

12 UNITED STATES DEPARTMENT OF
EDUCATION, et al.,
13 Defendant(s).

14 On September 4, 2018, Plaintiff filed an application to proceed *in forma pauperis*. Docket
15 No. 1. On September 13, 2018, the undersigned recommended that the application be denied and
16 that Plaintiff be required to pay the filing fee if he wished to proceed with this case. Docket No.
17 5. Plaintiff has now paid the filing fee. Docket No. 6. Accordingly, the undersigned's report and
18 recommendation is **WITHDRAWN** as moot and Plaintiff's application to proceed *in forma*
19 *pauperis* is also deemed **WITHDRAWN** based on his payment of the filing fee.

20 The Clerk's Office is **INSTRUCTED** to docket Plaintiff's most recent complaint, which
21 was filed as a notice at Docket No. 3.

22 Plaintiff is instructed that he must prosecute his case to the extent he wishes to continue
23 with his claim, including properly effecting service on Defendants within 90 days. *See* Fed. R.
24 Civ. P. 4(m). **FAILURE TO DO SO MAY RESULT IN THE DISMISSAL OF THIS CASE.**

25 IT IS SO ORDERED.

26 Dated: September 18, 2018

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Nancy J. Koppe
United States Magistrate Judge